



03-03-03

2834

PATENT  
Atty. Dkt. No. 03DV-7089

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Dennis P. Bobay et al.

Serial No.: 09/681,544

Filed: April 26, 2001

For: METHOD AND SYSTEM FOR MOUNTING  
A ROTOR POSITION

Art Unit: 2834

Examiner: K. Addison

**CERTIFICATE OF MAILING BY EXPRESS MAIL TO  
THE COMMISSIONER OF PATENTS AND TRADEMARKS**

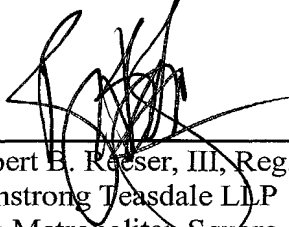
Express Mail mailing label number: EV263880350US

Date of Mailing: February 28, 2003

I certify that documents listed below:

- Amendment in Response to Office Action dated January 29, 2002 (2 pgs.)
- Amendment Transmittal (3 pgs. in duplicate)
- Certificate of Mailing Via Express Mail (1 page)
- Return postcard

are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on the date indicated above in an envelope addressed to the Commissioner for Patents, Box Non Fee Amendment, Washington, D.C. 20231.

  
Robert E. Reeser, III, Reg. No.: 45,548  
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314-621-5070

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PATENT  
Attorney Docket No.: 03DV-7089

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Commissioner for Patents  
Washington, D.C. 20231

**TRANSMITTAL**

1. Transmitted herewith is: Amendment in response to Restriction Requirement dated January 29, 2002 (2 pgs.); Certificate of Express Mail (1 pg.); and Return postcard

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**STATUS**

2. Applicant

☐ claims small entity status.  
☒ is other than a small entity.

**CERTIFICATE OF MAILING/TRANSMISSION**

I hereby certify that this correspondence is, on the date shown below, being:

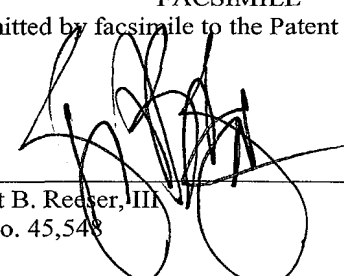
**MAILING**

☒ deposited with the United States Postal Service with sufficient postage as Express Mail, in an envelope addressed to the Commissioner for Patents, Washington, D.C. 20231

Date: February 28, 2003

**FACSIMILE**

transmitted by facsimile to the Patent and Trademark Office

  
Robert B. Reeser, III  
Reg No. 45,548

## FEE FOR CLAIMS

4. The fee for claims (37 C.F.R. 1.16(b)-(d)) has been calculated as shown below:

	(Col. 1) CLAIMS REMAINING AFTER AMENDMENT	(Col. 2) HIGHEST NO. PREVIOUSLY PAID FOR	(Col. 3) PRESENT EXTRA	SMALL ENTITY ADDITIONAL RATE FEE	OR	OTHER THAN SMALL ENTITY ADDITIONAL RATE FEE
TOTAL	MINUS	=	x \$9 = \$			x \$18 = \$
INDEP.	MINUS	=	x \$42 = \$			x \$84 = \$
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM				+ \$130 = \$		+ \$280 = \$
				TOTAL ADDITIONAL FEE \$	OR	TOTAL ADDITIONAL FEE \$

- (a) \_\_\_\_\_ No additional fee for Claims is required

**OR**

- (b) \_\_\_\_\_ Total additional fee for claims required \$

## FEE PAYMENT

5. \_\_\_\_\_ Attached is a check in the sum of \$ \_\_\_\_\_  
 \_\_\_\_\_ Charge Deposit Account No. 01-2384 the sum of \$ \_\_\_\_\_  
 A duplicate of this transmittal is attached.

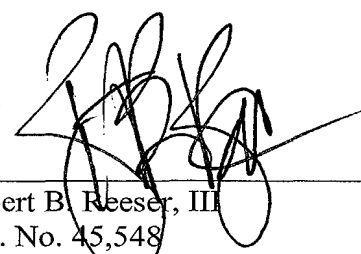
## FEE DEFICIENCY

6. ☒ If any additional extension and/or fee is required, charge Deposit Account No. 01-2384.

**AND/OR**

- ☒ If any additional fee for claims is required, charge Deposit Account No. 01-2384.

7. \_\_\_\_\_ Other:

  
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AMENDMENT

Hon. Commissioner for Patents  
Box Non-Fee Amendment  
Washington, D.C. 20231

Sir:

The Office Action mailed January 29, 2002 has been carefully reviewed and the following amendment has been made in consequence thereof.

Reconsideration of the restriction requirement imposed under 35 U.S.C. § 121 is respectfully requested.

A restriction to either invention I, consisting of claims 1-10 drawn to the method of positioning a sensor, classified in Class 29/598, invention II, consisting of claims 11-18, drawn to a stator assembly, classified in class 310, subclass 254, or invention III, consisting of claims 19-24, drawn to a rotor position sensor, classified in class 310, subclass 68 was imposed. In response, Applicants confirm the election with traverse to prosecute the invention of Group I, claims 1-10.

The requirement for election is traversed because the inventions set out by the claims in Groups I, II, and III are clearly related. Applicants submit that a thorough search and examination of any Group would be relevant to the examination of the other Groups and would not be a serious burden on the Examiner. Additionally, requirements for election are

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not mandatory under 35 U.S.C. 121. Accordingly, reconsideration of the election requirement is requested.

Respectfully Submitted,



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